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LIVERMORE BAR STIPULATES TO ABC LIQUOR LICENSE SUSPENSION

Livermore – The California Department of Alcoholic Beverage Control (ABC) today announced it will impose a 25 day liquor license suspension on McKays' Bar and Grill, 2293 First Street in Livermore, in connection with the fatal crash that killed three young men on February 24, 2002.

The three were riding in a car driven by a 20-year-old minor who was seen drinking at McKay's and another bar, the Livermore Saloon, along with several other minors the night of the crash. Witnesses say the minors IDs were not checked at either place. ABC is seeking a 60 day liquor license suspension of the Livermore Saloon.

The formal penalty for McKay's is a two-year stayed revocation of the license, with a 25 day suspension beginning January 3, 2003. The owner of the bar stipulated to the negotiated penalty. If during the two-year stayed revocation a similar violation occurs, ABC could permanently revoke the liquor license.

In addition to the stipulated penalty, the licensee has agreed to send all employees involved in the sale and service of alcoholic beverages to ABC's LEAD (Licensee Education on Alcohol and Drugs) training. In addition, any new hires during the stayed revocation will be sent to LEAD training within 60 days of employment. Failure to comply with the LEAD training agreement could be used as aggravation for any ABC violations that occur during the two-year period.

The Livermore Saloon is challenging the 60 day suspension and has asked for a hearing before an administrative law judge. That hearing is set to begin on December 3, 2002. The licensee has the right to appeal that decision to the ABC Appeals Board, with subsequent appeals possible to the District Court of Appeal and the State Supreme Court.

The minor who drove the car involved in the crash has pleaded no contest to three felony counts of gross vehicular manslaughter in exchange for a six-year sentence in state prison and dismissal of two other felony charges. She is scheduled to be formally sentenced on November 21, 2002.

In developing the cases against the two bars, ABC worked closely with the Livermore police Department in the investigation.

ABC is a department of the Business, Transportation and Housing Agency, which is under the direction of Secretary Maria Contreras-Sweet, a member of the Governor's Cabinet.